

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the pending Office Action, the Examiner rejected claims 1 and 10, under 35 U.S.C. §103(a), as allegedly being unpatentable over Bruner '828 (U.S. Patent No. 5,914,828) in view of by Kaaden '134 (U.S. Patent No. 6,122,134).

The Examiner also indicated that claims 4, 7, 8, and 11 are allowed and that claim 2 would be allowable if rewritten in independent form.

Applicant disagrees with the Examiner's assertion that claims 1 and 10 are unpatentable. However, in an effort to expedite the examination of the present application, by this Amendment, Applicant has cancelled claims 1 and 10 and has rewritten claim 2 in independent form, as suggested by the Examiner. Applicant submits that no new matter has been introduced.

Thus, by virtue of these claim cancellations and changes, Applicant submits that the prior art rejections of claims 1 and 10 and the objection of claim 2 have been rendered moot. Accordingly, Applicant requests the immediate withdrawal of the rejections to claims 1 and 10, under §103(a), and the objection to claim 2.

All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicants' Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. Please charge any fees associated with the submission of this paper to Deposit Account Number **033975**, Order No. 008312-0282933. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 

E. Rico Hernandez

Reg. No. 47,641

Telephone: (703) 905-2088

Facsimile: (703) 905-2500

ERH
P.O. Box 10500
McLean, Virginia 22102
(703) 905-2000